

Municipal Involvement In The Act 250 Process

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What is Act 250? Act 250 is a law which provides for a citizen-based, quasi-judicial process for reviewing and managing the environmental, social and fiscal consequences of major subdivisions and developments in Vermont.





“... the time has come to take responsible action to prevent further massive pollution of our land, water, and air and to step up the pace of our efforts to eliminate many forms of pollution already existing.”

Governor Deane Davis
January 8, 1970

History of Act 250

After hearings by the Gibb Commission and statewide debate the Vermont legislature passed a law to regulate *certain kinds of* development at the state level, *in addition* to any existing local review





Natural Resources Board

NRB Chair

Natural Resources Board (5)

Alternate NRB Members (4)

General Counsel

Executive Director

Administration Manager

Assoc. Gen. Counsel

Administrative Staff (1)

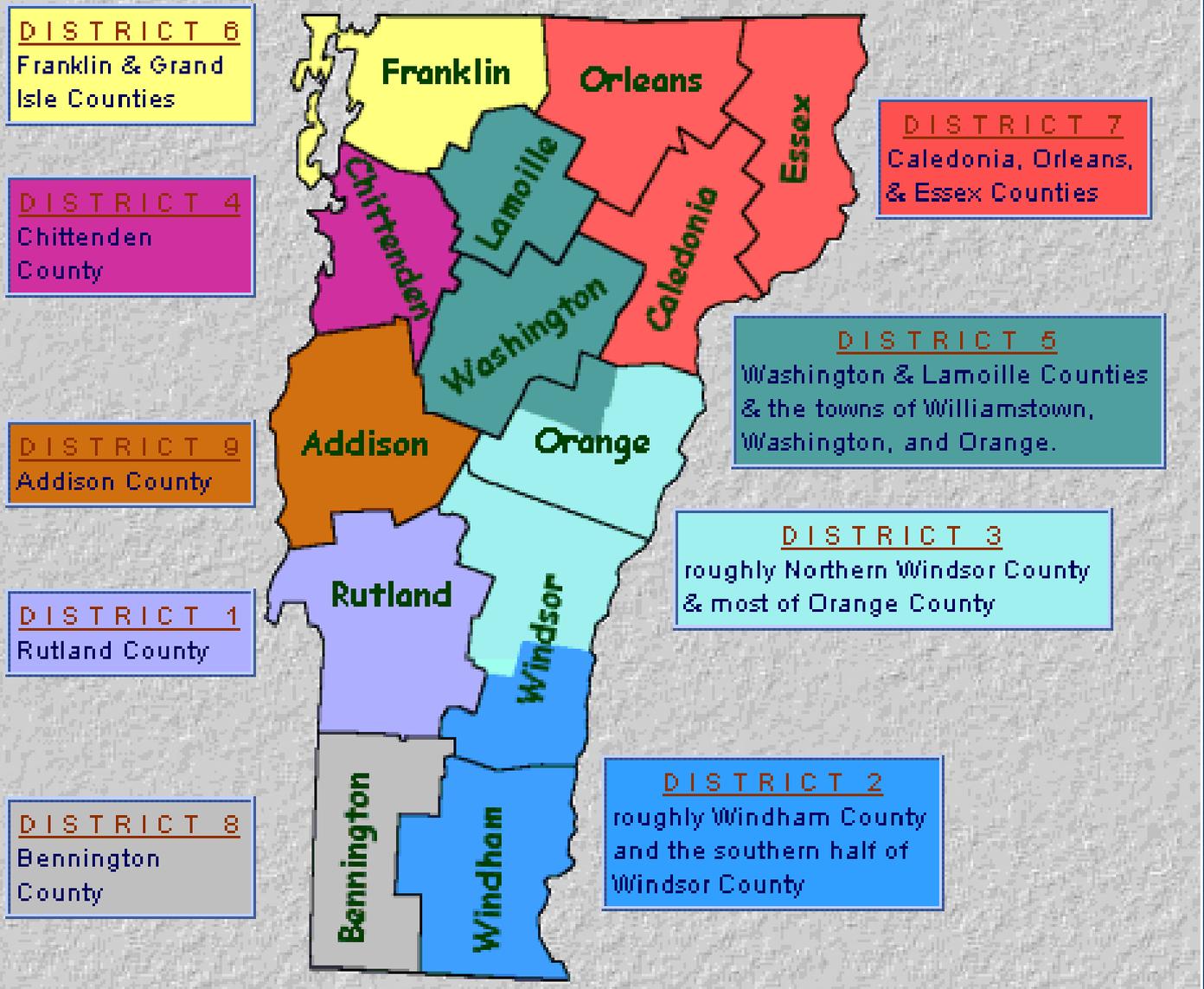
Permit Compliance Officer

Five Regional Act 250 Offices

- 9 District Coordinators
- 1 Act 250 Specialist
- 7 Administrative Staff

- 9 District Environmental Commissions**
- Members appointed by Governor (63)
- Serve 2 – 4 years terms

9 Environmental Districts



District Offices:

- Essex Junction
- Barre
- St. Johnsbury
- Springfield
- Rutland

District Commission and Staff

District Commission

- Quasi-judicial body
- Members appointed by Governor, not full-time employees
- Three regular members, up to four alternates
- Three commissioners sit on each case

District Coordinator

- Full-time staff to District Commission
- Provides assistance to applicants, parties, and the general public
- All communications to the District Commission must be submitted to coordinator

District Office Support Staff

- Provide clerical and administrative support

Act 250 Jurisdiction

- Subdivisions of 10 lots or more, or 6 lots in towns without permanent zoning and subdivision regulations
- Commercial development on >1 or >10 ac.
- State and municipal projects >10 acres disturbance
- Housing projects with 10 or more units (except "priority housing projects" in designated centers)
- Communication towers >50 feet in height
- Commercial, residential, or industrial development above 2,500 feet
- Material change to an Act 250 permitted project
- Substantial changes to pre-existing (pre-1970) projects

Act 250 Exemptions

- Farming and logging below 2,500 feet
- Electric generation and transmission facilities and telecommunications projects regulated by PSB (Sec. 248 and 248a)
- Agricultural fairs and horse shows; no buildings; open to public for < 61 days per year
- Small scale and on-farm composting

Q: How do I know if a project requires an Act 250 Permit?

A: Contact the District Coordinator for your area!

- Anyone can ask for the District Coordinator to issue a **Jurisdictional Opinion** for a potential project, including a town
- Reconsideration by Coordinator within 30 days
- Appeal to Environmental Division, Superior Court, within 30 days; prior to appeal, JO is subject to reconsideration by Natural Resources Board

Application Review Process

Completeness Review
by District Coordinator
(7 days)



Application to Commission
for Major/Minor
Determination



Major - 20%
Hearing scheduled

Minor - 80%
No hearing scheduled unless
requested by a party by deadline --
generally 3 weeks

For both Majors and Minors, town receives notice, either by mail or email.

Application Review Process

Coming Soon!!

Paperless Application Process

- District 2 Pilot
- All filings by electronic means (email, FTP, CD/Flash Drive)
- State agencies, towns, RPC's notified by email
- All application documents available on the Act 250 database website
- Will offer education and training sessions for applicants and parties before transition to the new process

Act 250 Party Status

§ 6085. Hearings; party status

- (c)(1) Party status. In proceedings before the district commissions, the following persons **shall be entitled to party status**:
- (A) The applicant;
 - (B) The landowner, if the applicant is not the landowner;
 - (C) **The municipality in which the project site is located, and the municipal and regional planning commissions for that municipality**; if the project site is located on a boundary, any Vermont municipality adjacent to that border and the municipal and regional planning commissions for that municipality; and the solid waste management district in which the land is located, if the development or subdivision constitutes a facility pursuant to subdivision 6602(10) of this title;
 - (D) Any state agency affected by the proposed project;
 - (E) Any adjoining property owner or other person who has a particularized interest protected by this chapter that may be affected by an act or decision by a district commission.

The 10 Criteria

1. Air and Water Pollution
2. Water Supply
3. Impact on Existing Water Supplies
4. Soil Erosion
5. Traffic Safety and Congestion
6. Impact on Schools
7. Impact on Municipal Services
8. Wildlife, Historic Sites, and Aesthetics
9. Impact of Growth
 - (L) Settlement Patterns
10. Conformance with Local and Regional Plans

Criterion 5

(5)(A) Will not cause unreasonable congestion or unsafe conditions with respect to use of the highways, waterways, railways, airports and airways, and other means of transportation existing or proposed.

*(B) As appropriate, will incorporate transportation demand management strategies and provide **safe access and connections** to adjacent lands and facilities and to existing and planned pedestrian, bicycle, and transit networks and services. In determining appropriateness under this subdivision (B), the District Commission shall consider whether such a strategy, access, or connection constitutes a measure that a reasonable person would take given the type, scale, and transportation impacts of the proposed development or subdivision.*

- 5(B) was added in 2014. Applicants are now explicitly directed to incorporate TDM, Bike/ped, transit, connections when appropriate

Act 145 – Transportation Impact Fees

Provides for two scenarios by which a transportation mitigation fee may be imposed by a District Commission:

- In most areas, the mitigation fee will be determined on a case-by-case basis by the District Commission if there is a planned transportation improvement project (part of a town or state capital plan) that will mitigate the impact of the development (using a fair share approach, not last-one-in)
- In areas where a higher level of development is anticipated, a Transportation Improvement District (TID) approach would be applied based on a transportation infrastructure plan.
- VTrans will establish Transportation Improvement Districts

Criterion 6

Will not cause an unreasonable burden on the ability of a municipality to provide educational services.

Criterion 7

Will not place an unreasonable burden on the ability of the local governments to provide municipal or governmental services.

- *Police*
- *Fire*
- *Emergency Services*
- *Road Maintenance*

Criterion 9(L) – (new 6/1/14)

(L) Settlement patterns. To promote Vermont's historic settlement pattern of compact village and urban centers separated by rural countryside, a permit will be granted for a development or subdivision outside an existing settlement when it is demonstrated by the applicant that, in addition to all other applicable criteria, the development or subdivision:

(i) will make efficient use of land, energy, roads, utilities, and other supporting infrastructure;

(ii)(I) will not contribute to a pattern of strip development along public highways; or

(II) if the development or subdivision will be confined to an area that already constitutes strip development, incorporates infill as defined in 24 V.S.A. § 2791 and is designed to reasonably minimize the characteristics listed in the definition of strip development under subdivision 6001(36) of this title.

NEW!

ACT 250 CRITERION 9(L) GUIDANCE

- Adopted by the Natural Resources Board March 8, 2016
- Supersedes the Criterion 9(L) Procedure adopted on October 14, 2014

**DETAILED PRESENTATION TO FOLLOW
STICK AROUND!**

Criterion 10

(10) Is in conformance with any duly adopted local or regional plan or capital program under chapter 117 of Title 24. In making this finding, if the district commission finds applicable provisions of the town plan to be ambiguous, the district commission, for interpretive purposes, shall consider bylaws, but only to the extent that they implement and are consistent with those provisions, and need not consider any other evidence.

- Town and Regional Plans have regulatory weight in Act 250
- Town and Regional Plans with specific, mandatory language are very powerful tools for towns and regions to achieve land use goals

Who should I call?

The District Coordinator for your area!

(http://www.nrb.state.vt.us/lup/commission_members.htm)

Resources and Tools

- **Who Do I Call? The District Coordinator for your area!**
- Web site: www.nrb.state.vt.us Click on “Act 250”
 - Contact Information for all Staff
 - Statute (law) and Act 250 Rules
 - District Commission Training Manual
 - Act 250 Database
 - E-Note Index
 - ANR Natural Resources Atlas (with Act 250 Permit Map)
- ANR Permit Specialists (what permits do I need in addition to Act 250?) - <http://dec.vermont.gov/environmental-assistance/permits/specialists>



Natural Resources Board

Act 250

NEW [Criterion 9\(L\) Guidance](#) -- This Guidance was adopted by the Natural Resources Board on March 8, 2016, effective March 15, 2016, and supersedes the Criterion 9(L) Procedure adopted on October 14, 2014 (effective October 17, 2014)

NEW [New Act 250 Application Form](#), effective June 1, 2016

NEW [Board Adopts Criterion 9\(F\) Procedure](#) and [CBES Stretch Guidelines](#), effective June 1, 2016

Quick Links: [ANR NATURAL RESOURCES ATLAS](#) | [APPLICATION FORMS](#) | [THE TEN CRITERIA LINKS](#) | [DISTRICT COMMISSION TRAINING MANUAL](#) | [E-NOTE INDEX](#) | [1 - 10 ACRE TOWN LIST](#) | [MEDIATION](#) | [ENFORCEMENT](#) | [NRB SHAREPOINT SITE](#) (Board, District Commissioners, and Staff Only)

- ▶ [NRB Agenda](#)
- ▶ [NRB Minutes](#)
- ▶ [Statute](#)
- ▶ [Adopted Rules](#)
- ▶ [Pending Rulemaking](#)
- ▶ [Decisions](#)
- ▶ [Jurisdictional Opinions](#)
- ▶ [Act 250 Database](#)

- ▶ [NRB Staff](#)
- ▶ [Board Members](#)
- ▶ [Commission Members and Staff](#)
- ▶ [Frequently Asked Questions](#)
- ▶ [Enforcement](#)
- ▶ [Publications](#)



Natural Resources Board
Agency of Natural Resources (ANR)
Other State Agencies
Environmental Court

District Environmental Commissions

The Act 250 program provides a public, quasi-judicial process for reviewing and managing the environmental, social and fiscal consequences of major subdivisions and developments in Vermont. The program is implemented through the 9 District Environmental Commissions. Specific program objectives of Act 250 include:

- 1) thorough review of each Act 250 permit application under the requirements of the **statutory criteria**;
- 2) performing **jurisdictional determinations** and permit reviews as expeditiously as possible;
- 3) providing assistance to applicants and other parties in preparation for their participation in **Act 250 proceedings**;
- 4) assisting permittees in maintaining compliance with permit terms and conditions;
- 5) enforcing the requirements of Act 250 permits and the statute.

E-mail [Webmaster](#) with any questions or comments about this web site.

Please keep in mind that although we do our best to keep the information presented current, this is not meant to be a definitive resource. Please refer to the official published material, or call us

Natural Resources Board
Dewey Building
National Life Drive
Montpelier, Vermont 05620-3201
(802) 828-3309

OTHER Act 250 Parties by Right

- Vermont Agency of Natural Resources
HERE TODAY!
- Vermont Division for Historic Preservation
HERE TODAY!
- Vermont Agency of Transportation
- Vermont Agency of Agriculture, Food & Markets
- Regional Planning Commissions

Act 250 Review of Historic Sites Criterion 8

State Government Municipal Day September 9, 2016

Act 250 & Criterion 8:

“Before issuing a permit, the district commission shall find that the subdivision or development:

(8) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas.”

10 V.S.A. 6086(a)(8).

A 3 Part Test:

- 1) Is an “Historic site” present?
- 2) Will the development have an adverse effect on the historic site?
- 3) Is the adverse effect, undue?

What's an "Historic Site"?

Any site, structure, district or archeological landmark that is:

- Listed on the National Register of Historic Places;
- Listed on the State Register of Historic Places;
- Testimony of the Advisory Council that the site is *historically significant*.

DHP Act 250 Review

- 2 ways DHP becomes involved
 - Contacted by developer before Act 250 process
 - Notified by Weekly Act 250 Agenda
- Desk review, including predictive model.
 - If known historic structures or archaeological sensitivity, then conduct site visit.
 - If no historic structures and no archeological sensitivity, sign off.

Establishing “Historical Significance”:

- Desk Review
 - Maps, historical record, oral histories
- Use of predictive model
 - Archaeological sensitivity
- Site visits
- Testimony to District Commission at hearings

CASE STUDY

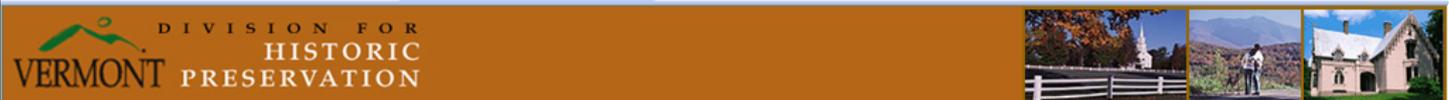
VERMONT DIVISION FOR HISTORIC PRESERVATION

Environmental Predictive Model for Locating Precontact Archeological Sites

Project Name WINGATE SUBDIVISION County CHITT Town JERICOH
 DHP No. CH03-065 Map No. 25B Staff Init. RSD Date 3/22/04
 Additional Information _____

Environmental Variable	Proximity	Value	Assigned Score
A. RIVERS and STREAMS (EXISTING or RELICT):			
1) Distance to River or Permanent Stream (measured from top of bank)	0-90 m	12	12
	90-180 m	6	
2) Distance to Intermittent Stream	0-90 m	8	8
	90-180 m	4	
3) Confluence of River/River or River/Stream	0-90 m	12	12
	90-180 m	6	
4) Confluence of Intermittent Streams	0-90 m	8	—
	90-180 m	4	
5) Falls or Rapids	0-90 m	8	—
	90-180 m	4	
6) Head of Draw	0-90 m	8	—
	90-180 m	4	
7) Major Floodplain/Alluvial Terrace	0-90 m	32	8
	90-180 m	4	
8) Knoll or swamp island	0-90 m	32	—
	90-180 m	4	
9) Stable Riverine Island	0-90 m	32	—
	90-180 m	4	
B. LAKES and PONDS (EXISTING or RELICT):			
10) Distance to Pond or Lake	0-90 m	12	—
	90-180 m	6	
11) Confluence of River or Stream	0-90 m	12	—
	90-180 m	6	
12) Lake Cove/Peninsula/Head of Bay		12	—
C. WETLANDS:			
13) Distance to Wetland (wetland > one acre in size)	0-90 m	12	—
	90-180 m	6	
14) Knoll or swamp island		32	—
D. VALLEY EDGE and GLACIAL LAND FORMS:			
15) High elevated landform such as Knoll Top/Ridge Crest/ Promontory	0-90 m	12	—
	90-180 m	6	
16) Valley edge features such as Kame/Outwash		12	12

Terrace**		12	—
17) Marine/Lake Delta Complex**		12	—
18) Champlain Sea or Glacial Lake Shore Line**		32	32
E. OTHER ENVIRONMENTAL FACTORS:			
19) Caves /Rockshelters		32	—
20) <input checked="" type="checkbox"/> Natural Travel Corridor <input type="checkbox"/> Sole or important access to another drainage <input type="checkbox"/> Drainage divide		12	12
21) Existing or Relict Spring	0-90 m	8	—
	90-180 m	4	
22) Potential or Apparent Prehistoric Quarry for stone procurement	0-180 m	32	—
23) Special Environmental or Natural Area, such as Milton aquifer, mountain top, etc. (these may be historic or prehistoric sacred or traditional site locations and prehistoric site types as well)		32	—
F. OTHER HIGH SENSITIVITY FACTORS:			
24) High Likelihood of Burials		32	—
25) High Recorded Site Density		32	32** - NOT INCLUDED IN SCORE
26) High likelihood of containing significant site based on recorded or archival data or oral tradition		32	—
G. NEGATIVE FACTORS:			
27) Excessive Slope (>15%) or Steep Erosional Slope (>20)		-32	—
28) Previously disturbed land as evaluated by a qualified archeological professional or engineer based on coring, earlier as-built plans, or obvious surface evidence (such as a gravel pit)		-32	—
** refer to 1970 Surficial Geological Map of Vermont			
Total Score:			96
Other Comments :			
** Rare cluster of sites on O'Brien project, south of this project.			
0-31 = Archeologically Non- Sensitive 32+ = Archeologically Sensitive			



Find Location

What would you like to find?

- [Latitude / Longitude Coordinate](#)
- [Map Coordinate](#)
- [Feature by Attribute](#)
- [Find by Town or other Feature](#)
- [By Address](#)
- [State Plane Coordinates](#)

To set the extent of the map using query tools, click on one of the links above.

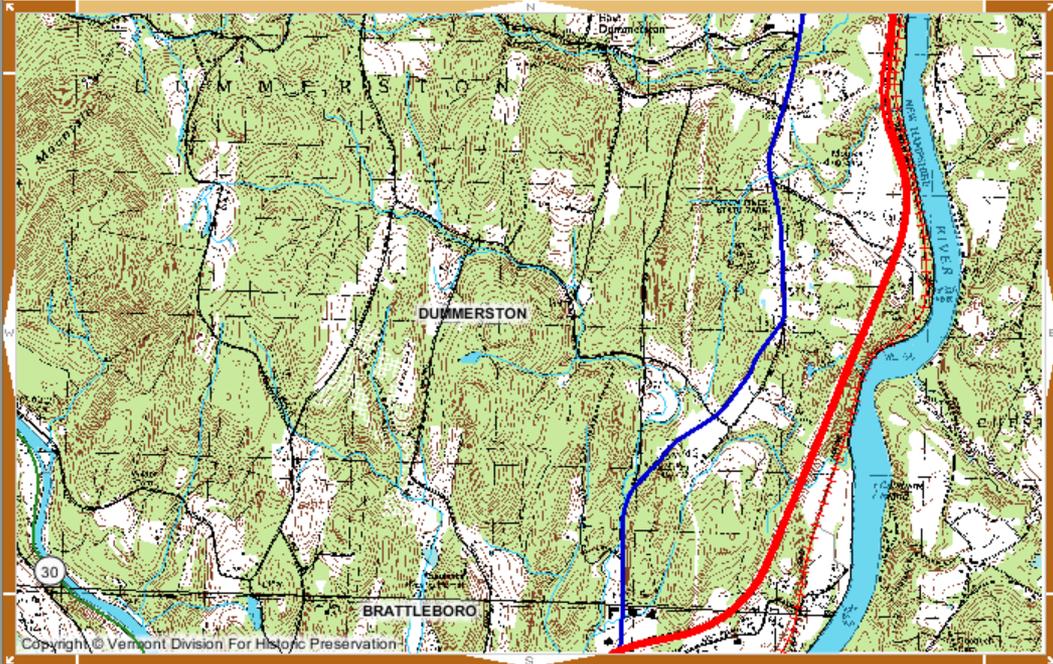
The first option allows you to locate a Town by Name and lets you search and zoom to locations by the following topic: County, E911 Location, HRMS Project, Landmark, Parcel, Soil Map Unit, Town, and Village..

The second option allows you to look up an address by street number, street name and town name.

The third option allows the entry of northings and eastings based on the VT state plane (NAD 1983) coordinate system.



About Layers Legend Key Map Bookmarks Locate Create PDF Help Exit

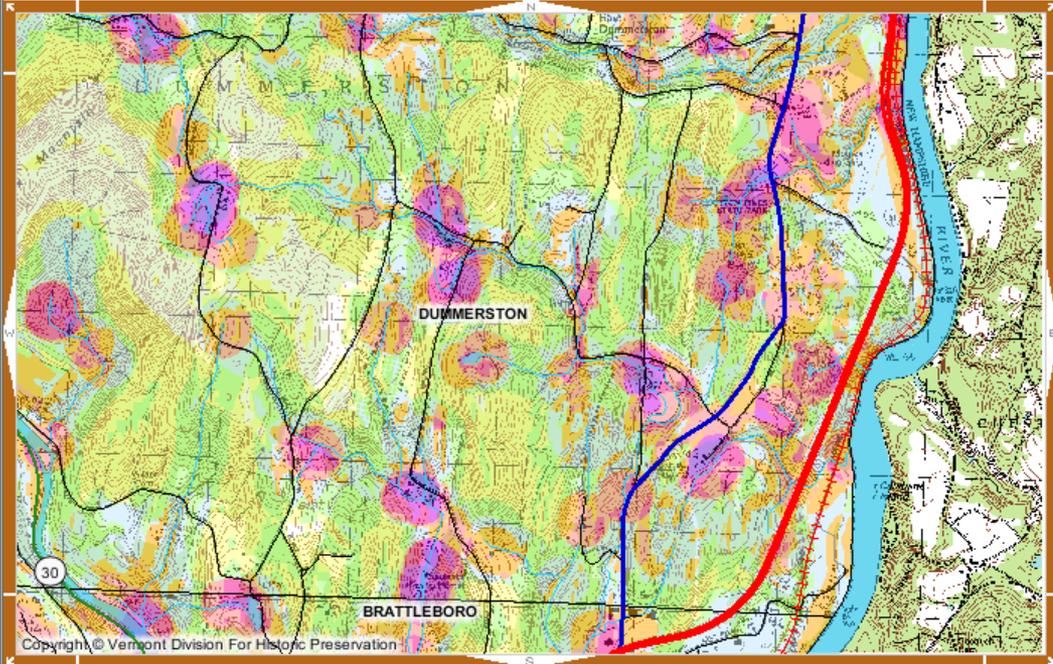


Map Layers

- VermontArcheoMap Composite Analysis
- VermontArcheoMap Composite Analysis
- VermontArcheoMap Analysis Component
- Layer 1: Permanent Stream/River Proximity
- Layer 2: Waterbody Proximity
- Layer 3: Wetland Proximity
- Layer 4: Stream Waterbody Confluence
- Layer 5: Head of Drainage Proximity
- Layer 6: Stream Confluence Proximity
- Layer 7: Waterfall Proximity
- Layer 8: Paleo Lake Soils Proximity
- Layer 9: Glacial Outwash and Kame Terraces
- Layer 10: Floodplain Soils Presence
- Layer 11: Level Terrain Presence
- Soils/Land Information
- Boundaries and Places
 - Counties
 - Towns
 - Villages
 - Parcels (not suitable for legal decision)
 - City Points
 - Landmarks
 - e911 Building Points

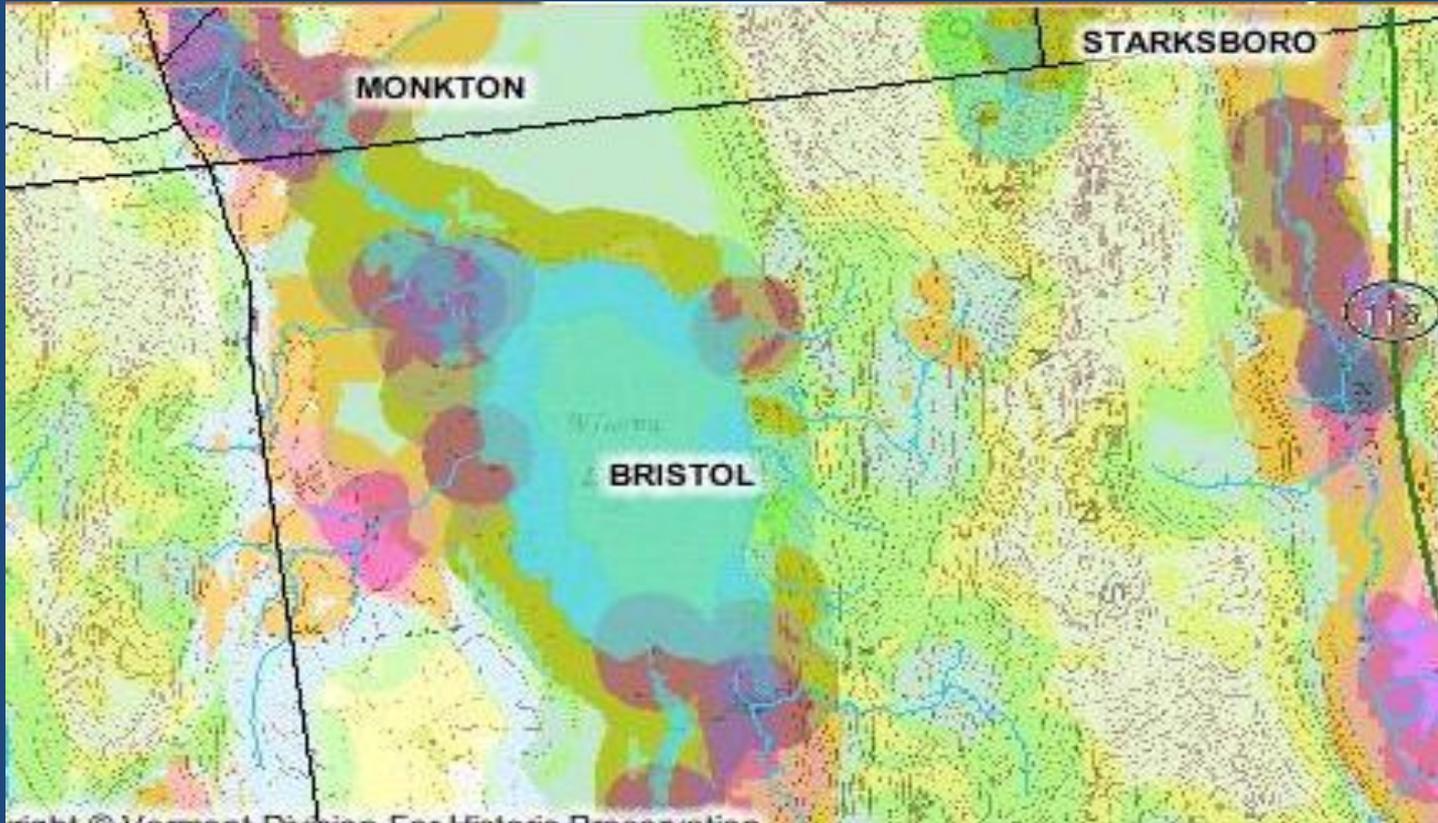
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Powered by geocortex



Map Layers [Feedback](#)

- VermontArcheoMap Composite Analysis
 - VermontArcheoMap Composite Analysis
 - No Info Available
 - One Factor
 - Two Factors
 - Three Factors
 - Four Factors
 - Five Factors
 - Six Factors
 - Seven Factors
 - Eight Factors
 - Nine Factors
 - Ten Factors
- VermontArcheoMap Analysis Component
 - Layer 1: Permanent Stream/River Prox
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 - Layer 7: Waterfall Proximity
 - Layer 8: Paleo Lake Soils Proximity
 - Layer 9: Glacial Outwash and Kame Te



Presence of “Historically Significant” Site:

- Established by testimony of the Vermont Advisory Council.
- Board or district commissions are not bound by the opinion of the AC.
- AC through DHP has burden to persuade the District Commission that the site is historically significant.

Involve DHP early in project planning

- Invite DHP for early site visit to identify any potential preservation issues in project
- DHP can identify need for expertise of architectural historian or archeologist
- DHP involvement should be commensurate with the scope of project

Take Away for Larger Projects

- Early Consultation with the Division to establish review needs.
- Schedule management to prevent delays resulting from historic site identification and evaluation process.
- Maintain some flexibility in project design to limit the mitigation required for any undue adverse effects.

More detailed information at DHP webpage:

<http://accd.vermont.gov/historic-preservation>

Home

Economic Development

Housing

Community Development

Historic Preservation

Identifying Historic Resources

Planning for Preservation

Review and Compliance

Is Your Property Eligible?

Checklist for HP Review

Help with Your Review

Historic Preservation and Archaeology Consultants Lists

State-Owned Historic Sites

Vermont Archaeology Heritage Center

Funding and Incentives

Resources and Rules

Partners

Events, Trainings and Workshops

Success Stories

Tourism and Marketing

Vermont Center for Geographic Information

About the Agency



[VIEW](#)

[EDIT](#)

[REVISIONS](#)

REVIEW AND COMPLIANCE

When Do You Need Historic Preservation Review?

Project review consists of identifying a project's potential impacts to historic buildings and structures, historic districts, historic landscapes and settings, and to known or potential archaeological resources. Project review is a consultative process between the applicant and VDHP.

If your project involves federal or state funding, licenses or permits, the Vermont State Historic Preservation Office (SHPO) must review the effects to historic and cultural resources. In Vermont, the SHPO is also known as the Division for Historic Preservation. [Is your Property Eligible?](#)

For relevant laws and regulations, please visit our [Resources and Rules](#) page.

Applicants are encouraged to contact VDHP early and often in the project planning process.

To begin the project review and consultation process, make sure your project addresses everything on our [Checklist for Historic Preservation Review](#).

If you have any questions about this process, please feel free to contact us. [Who can help with your review?](#)

Project review applications can be submitted to the Vermont Division for Historic Preservation (VDHP) at ACCD.projectreview@vermont.gov.



State of Vermont
 Division for Historic Preservation
 1 National Life Dr., Davis Building, 6th Floor
 Montpelier, Vermont 05620-0501
http://accd.vermont.gov/strong_communities/preservation/

Agency of Commerce and
 Community Development

[Phone] 802-828-3045
 [Fax] 802-828-3206

HISTORIC PRESERVATION PROJECT REVIEW COVER FORM

Please complete this form and attach it to the top of all information submitted to this office for review.
 Accurate and complete forms will assist in the timely processing and response to your request.

1. DOES THIS INFORMATION RELATES TO A PREVIOUSLY SUBMITTED PROJECT? Please check box.

If you have checked this box and noted the previous Project Review (PR) number assigned by this office you do not need to continue unless any of the required information below has changed.

1a. PREVIOUS PROJECT REVIEW NUMBER or PROJECT NAME

TOWN

COUNTY

2. IS THIS A NEW PROJECT?

Please check box

If you have checked this box you will need to complete ALL of the following information

Project Name

Location

You MUST include street number, street name and/or County, State or Interstate route number if applicable.

Point Data

GIS Coordinates/Location Information/UTM Latitude-Longitude

City/Town/Village

List the correct city/town/village in which your project is being undertaken.

County

If the undertaking covers multiple towns/counties please email a list defining all towns/counties included with your digital submission at ACCD.Projectreview@state.vt.us.

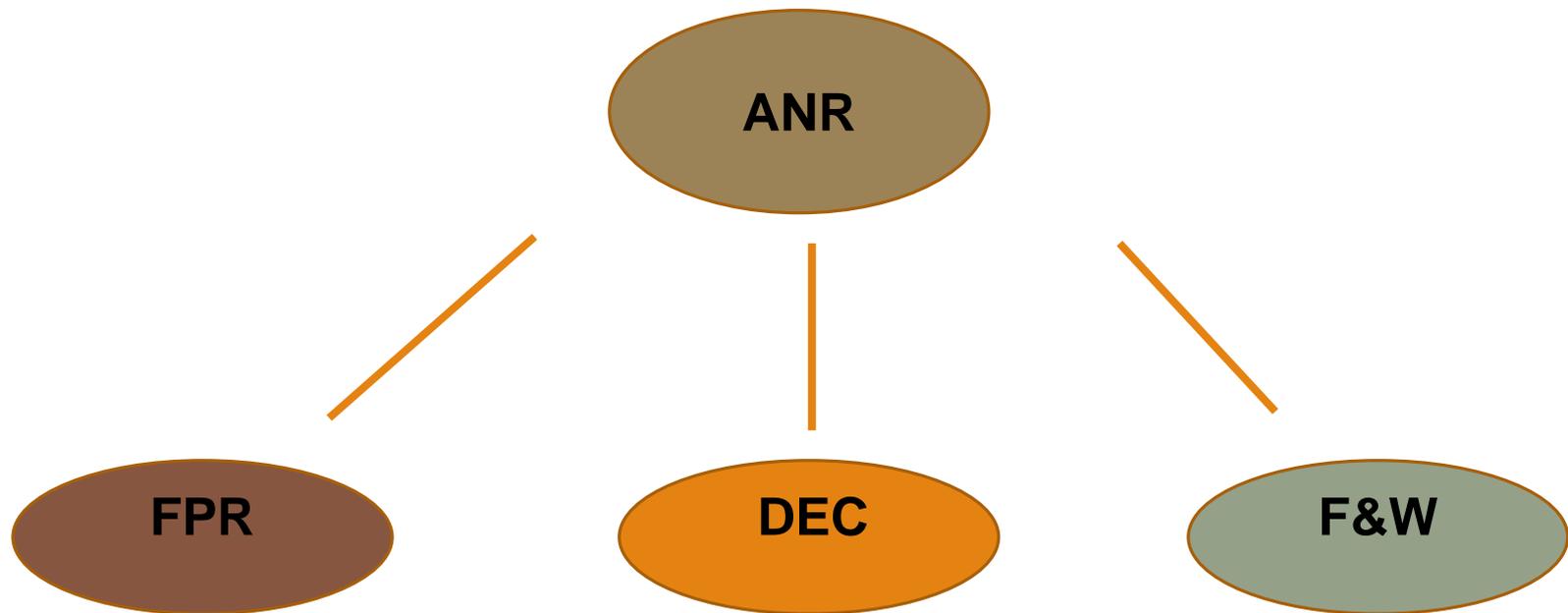
PLEASE PROVIDE A BRIEF DESCRIPTION OF THE PROJECT (include a more detailed summary or cover letter describing the details of your project as an attachment.)

ANR's Participation in Act 250

MUNICIPAL DAY 2016



Organization of ANR



Office of Planning, Office of General Counsel

Office of Planning (OP)

- Director of Planning, 2 Policy Analyst Positions
- [Act 250 Review](#): Land Use Attorney and Regulatory Policy Analyst

Office of General Counsel (OGC)

- ANR General Counsel
- 5 Attorneys (including Land Use Attorney)
- Environmental court appeals, Section 248 dockets, contentious Act 250 cases, enforcement

OGC/OP work closely to make sure Agency positions are consistent, but able to evolve with new issues

ANR is a Statutory Party

ANR wears many “hats”

Technical review of projects

- Issues permits – Rebuttable permits under Rule 19
- Provide technical assistance to District Commissions

Advocate for resource protection

Co- applicant – if project is on State lands

Review Process

- Agency receives and reviews every Act 250 application
- OP is responsible for coordinating review of the applications among departments
- OP provides a [weekly agenda](#) of applications to ANR staff to make them aware of application
- OP compiles and submits comments to District Commissions and Parties in the form of Entry of Appearance and Pre-Hearing Comments

Vermont Agency of Natural Resources
Phone (802) 828-1295

ACT 250 WEEKLY AGENDA Issued: 9/4/2015

NOTE: Draft comments should be emailed to this office at anr.act250@state.vt.us. If time is short and/or coordination or collaboration with this office in necessary, comments should also be copied to elizabeth.lord@state.vt.us and jennifer.mojo@state.vt.us.

5 ACT 250 APPLICATIONS

5 MINOR APPLICATIONS

4C0357-2B Whitcomb Terrace Housing Limited Partnership

DATE FILED WITH DISTRICT COMMISSION: 08-28-2015

DATE RECEIVED: 09-02-2015

HEARING REQUEST DATE: 09-22-2015

DATE COMMENTS DUE TO LAND USE ATTORNEY: 9/18/2015

TOWN: ESSEX JCT.

ROAD: 128-136 West Street

PROJECT: The addition of 20 parking spaces along the access drive.

APPLICANT TELEPHONE: 859-8805

CONTACT: Scott Homsted – Krebs and Lansing Consulting Engineers, Inc.

TELEPHONE: 878-0375

5L0480-11 Copley Hospital, Inc.

DATE FILED WITH DISTRICT COMMISSION: 07-28-2015

DATE RECEIVED: 09-04-2015

HEARING REQUEST DATE: 09-17-2015

DATE COMMENTS DUE TO LAND USE ATTORNEY: 9/15/2015

TOWN: MORRISVILLE

ROAD: 528 Washington Highway

PROJECT: Construction of a new, expanded 19,500 square foot surgical suite. The project includes three operating rooms, a procedure room, a central sterilization and processing area, twelve patient beds, and staff lockers and break area. Related infrastructure improvements include connection to municipal water and septic systems and stormwater systems.

APPLICANT TELEPHONE: 888-8888

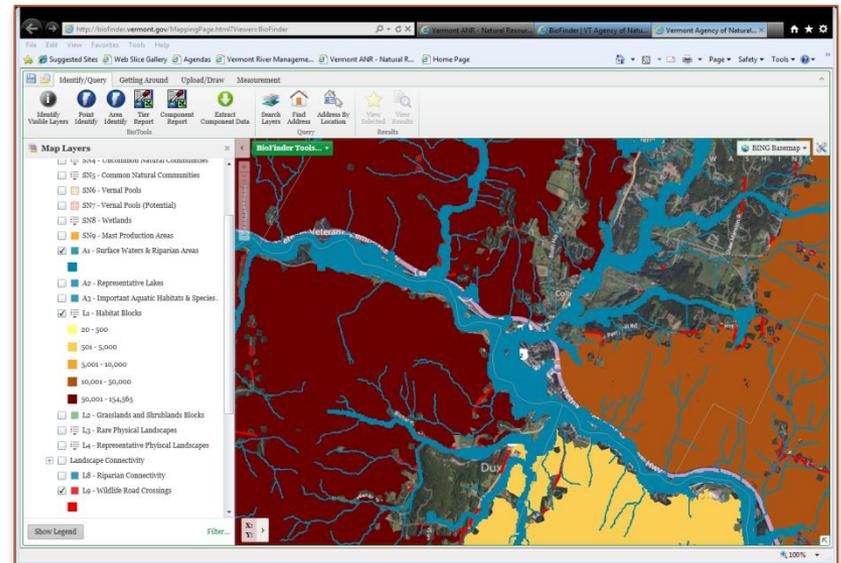
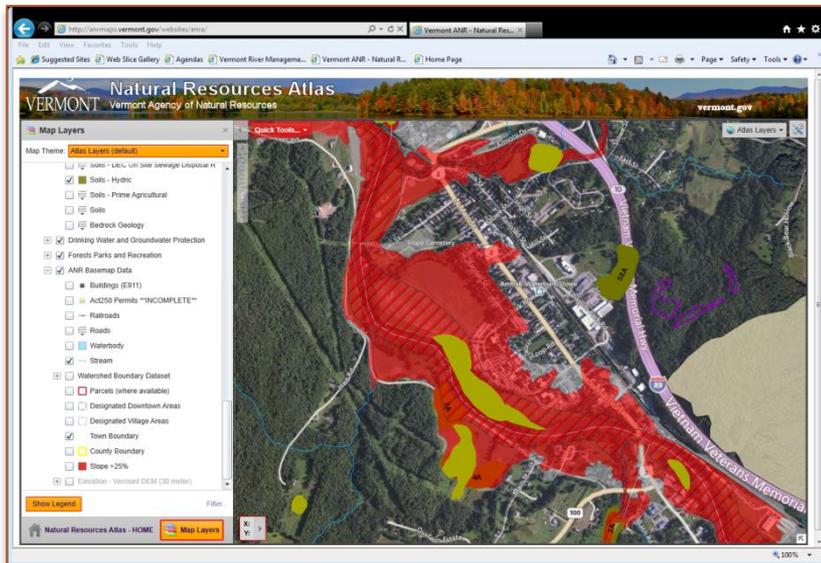
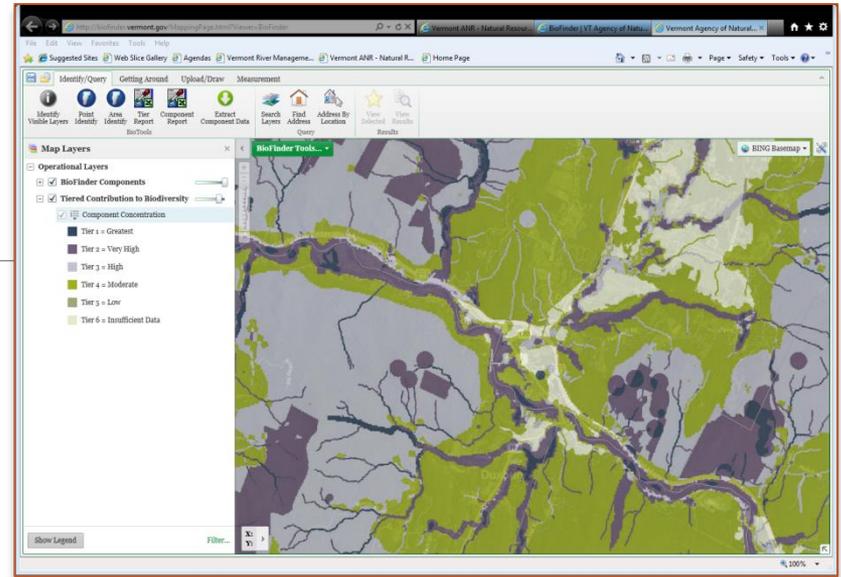
CONTACT: Melvyn Patashnick, CEO

TELEPHONE: 888-8888

Desktop Review

Identification of issues

- ANR [Atlas/Biofinder](#) -
- Review pre-application staff comment letters
- Research previous permits
- Reach out to appropriate staff



Technical Comments

OP reviews Staff Comments

- Substance of technical recommendations
- Consistency with agency guidelines and procedures
- Policy implications

Other considerations

- Identify any showstopper issues
- Significant Design changes

250 Criteria of Interest to ANR

Water-related Criteria - 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 2 & 3, 4

Natural Communities and Habitat -

- 8 – Rare & Irreplaceable Natural Areas
- 8A – wildlife habitat and Threatened Species

Public Investment - 9K

Growth and Sprawl - 9L

Other Criteria of interest - 9C, 9D & 9E

Participation at Hearings

Potential Reasons to Attend Hearing

- Advocacy – defend a position and/or make requests in contested cases
- Education – new environmental issues or recent policy changes
- Attendance requested by District Commission (Rule 20 requests)



Websites & Resources

- ANR Website www.anr.vermont.gov
- ANR Act 250 and Section 248 Guidance Documents - <http://anr.vermont.gov/planning/act250-section248-info/guidance-docs>
- Act 250 Database <https://anrweb.vt.gov/ANR/ANR/Act250.aspx>
- Natural Resources Board Website www.nrb.state.vt.us
- ANR Permit Specialists (what permits do I need in addition to Act 250?) - <http://dec.vermont.gov/environmental-assistance/permits/specialists>
- Act 250: A Guide to Vermont's Land Use Law <http://www.nrb.state.vt.us/lup/publications.htm>
- Act 250 Handbook: A guide to State and Regional Land Use Regulation - 3rd edition, Putney Press, 2008

Thank you!

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